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November 4, 2010

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REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Initiated by CDSS

TO: ALL CHILDREN’S RESIDENTIAL PROGRAM STAFF

SUBJECT: **CERTIFIED FAMILY HOME REGULATIONS**

The Children’s Residential Certified Family Home regulation package has been filed with the Secretary of State and will become effective November 10, 2010.

Certified Family Homes (CFH) were previously governed by Title 22, Division 6, Chapter 4, Small Family Home regulations that were not the most appropriate regulatory scheme for the children served in CFH. In an attempt to provide certified caregivers with updated and more applicable regulations, Foster Family Agencies Section 88030 subsection (f), was amended to require CFH to conform to the newly revised Foster Family Home (FFH) regulations.

Making this change is beneficial because the FFH regulations have recently been updated to incorporate input from the Children’s Residential Regulations Review Workgroup (CRRRW). The CRRRW was comprised of experts in the field, including advocates, county child welfare staff, current and former foster youth, foster parents, foster parent associations, and the California Department of Social Services representatives.

The application of the FFH regulations will afford the CFH providers and foster youth the following key concepts:

- Reasonable and Prudent Parent Standard requires caregivers to apply this standard to allow foster youth to participate in age-appropriate extracurricular, enrichment, and social activities [(California Code of Regulations (CCR) Title 22 Sections 89378(a)(1)(A), (a)(1)(A)3.a., (a)(1)(B), (a)(1)(D), (a)(1)(F), and (b); 89379(b); 89387(d)(1); and 89387.2(b)(1) through (3)].
- Children are permitted to have access to: cash resources, personal property, personal hygiene products, kitchen knives, appliances, disinfectants, and cleaning solutions, when age and developmentally appropriate [(CCR Title 22 Sections 89226(c), 89372(a)(2)(B), and 89387.2(b)(1) through (3)].

- CFH capacity is capped at a total of six children in the home and a total of eight to accommodate sibling groups. When determining capacity, Community Care Licensing will take into account all children living in the home, including adoptive, biological, and guardianship children as well as foster children. Waivers and exceptions are permitted for caregivers who may be able to care for more children [(CCR Title 22 Section 89228(a)(1) through (3)].
- Caregivers are permitted to arrange for various types of babysitting, such as: occasional short-term babysitters, alternative caregivers, respite care, leaving children alone without adult supervision, or licensed child care [(CCR Section 89378(a)(1)(A) through (F)].
- Caregivers are permitted to provide emergency medical assistance injections, and medications under specified conditions (CCR Section 89475.1).

A copy of the updated FFH regulations is posted on the Community Care Licensing Division website at <http://www.dss.cahwnet.gov/ord/PG295.htm>. Licensing staff are required to read and become familiar with the updated FFH regulations.

The Field Automation System has been updated to reflect the new regulation. For quick reference, the regulation package can be accessed from the Office of Regulations Development website at: <http://www.dss.cahwnet.gov/ord/PG2302.htm>.

If you have any questions or need further information, please contact Marisa Sanchez, Children's Residential Policy Analyst, (916) 323-1372 or Marisa.Sanchez@dss.ca.gov.

Sincerely,

Original signed by Jeffrey Hiratsuka

JEFFREY HIRATSUKA
Deputy Director
Community Care Licensing Division